

REMARKS

In the Office Action mailed February 13, 2004, the Examiner rejected pending claims 1-6. Claim 1 has been amended. Claims 2 and 5 have been canceled without prejudice. As a result of the present Amendment, claims 1, 3-4, and 6 remain pending in the present application (1 independent claim, 4 claims total). No new matter has been added by this Amendment. Reconsideration is respectfully requested in light of the following remarks.

Claim Rejections - 35 U.S.C. §103

Claims 1-6 stand rejected to under 35 U.S.C. 103(a) as being unpatentable over Freund et al. (the '250 Reference"). This rejection is respectfully traversed in light of the amended claims.

The '250 reference discloses, for example, that deposit requests may be given priority over debit requests (to ensure that there are funds in the account to withdraw) or that one person might have prior over others (column 5, lines 25-32).

There is no mention of an embodiment configured to "electronically disburse said employee funds to third parties prior to allowing said employee to disburse said funds via said access point," i.e., a system wherein the workplace employer substantially controls the priority of deposits and funds requests. In fact, the '250 reference generally teaches away from this idea, as the cited examples tend to give deference to the account holder, rather than the employer or third parties.

The '250 reference is directed at an abstract, generalized method of solving problems arising when different servers or objects send requests to a server (e.g., a bank server), and those requests are queued up and/or conflict. The present invention is not directed at the execution of simultaneously queued requests; it is directed at disbursement of funds at the direction of a worksite employer and employee.

Furthermore, the '250 reference does not disclose a system wherein the personal financial service provider is configured to interface with said employee to provide at least one of: (a) direct purchase of goods and services from one of said third parties, (b) direct purchase of travel services, or (c) direct purchase of investment instruments.


Furthermore, the '250 reference does not disclose a personal financial service provider configured to administer at least one benefits program associated with said employee.

CONCLUSION

In view of the foregoing Amendment and Remarks, Applicants respectfully submit that the present application is in condition for allowance, and earnestly solicit a Notice of Allowance at the Examiner's earliest convenience. The Examiner is invited to telephone the undersigned if such would advance prosecution of this Application in any way.

Respectfully submitted,

Dated: 8/13/04

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